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# The Times-Dispatch

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64th YEAR NUMBER, 19,755. RICHMOND, VA., TUESDAY, JUNE 23, 1914.—TWELVE PAGES TO-DAY'S WEATHER—SHOWERS PRICE, 2 CENTS

## RAILROADS WIN FIGHT FOR LAND

Title to Property, Valued at \$700,000,000, Is Sustained by Supreme Court.

## VOWS TO POVERTY ARE LEGAL

Decision Vital to Catholic Church—Commerce Court Reversed in Rate Case.

## Decisions Handed Down by the Supreme Court

Reversing Commerce Court and upholding the intermountain rate order of the Interstate Commerce Commission.  
Upholding transcontinental railroads in fight for \$700,000,000 worth of oil lands, but holding oil is a mineral.  
Reversing decision of lower court, holding illegal vows of poverty by a monk.  
Holding legal the oil pipe line act of 1906, placing them under regulation of the Interstate Commerce Commission.  
Reversing the conviction of a Kentucky farmer who sold tobacco to an outsider, and holding pooling law illegal.  
Affirming decree of New York Federal Court, holding the retail lumber trust violated the Sherman law by circulating blacklists of wholesalers.  
Refusing the State of Louisiana an injunction to prevent the Secretary of the Treasury from granting to Cuban sugar a 20 per cent preferential.

Washington, D. C., June 22.—Title of transcontinental railroads to some \$700,000,000 worth of petroleum land, as against other private claimants, was upheld to-day by the Supreme Court in a text suit brought by Edmund Burke, of California, against the Southern Pacific Railroad Company.

At the same time Justice Van Devanter, for the court, stated that seemingly the government's right to attack the railroads' title for fraud or error had expired in 1906 or 1901. It was made plain, however, that the rights of the government were not involved in the case before the court, and there was no mention of the recent suit brought by the government against the Southern Pacific to regain the very lands in question. Government officials after the decision stated they would continue to press the suit.

Since the government began to grant lands to transcontinental railroads in 1866, every patent issued to the roads has contained a reservation or exception to the effect that lands in the patent found later to be mineral lands should not pass to the railroads. Such reservations, however, were not in the patents issued in later years found to be rich with gushing oil wells. Burke claimed the land did not pass to the railroad, and sought to enter it as mineral lands.

The court held that the Land Office officials could not perform their duty, imposed upon them by Congress, of not patenting mineral lands, without determining whether the lands were mineral before issuing the patent, and that the patents issued by the government were void for fraud or error. Justice Van Devanter stated that the patents were issued in 1894, and apparently the government had no claim in obtaining them.

That time, although the railroad had presented an affidavit that the lands were nonmineral. Therefore, he added, seemingly the right to attack the patents expired in 1906 or 1901.

**VOWS TO POVERTY ARE UPHOLD BY COURT**  
Doubt cast upon the validity of vows to poverty in many Catholic orders, reversing the decision of the Eighth United States Circuit Court of Appeals.

The lower court held the vows void against public policy, on the ground that they did not permit a person making them ever to withdraw from the order. The Supreme Court, however, had announced that the lower court had erred by not distinguishing between the religious and civil nature of the vows. It was pointed out that a person was permitted to withdraw from the vows by withdrawing from the order, and that the vows were a religious sense was a matter of conscience.

The case arose in the settlement of the estate of Father Augustin Wirth, of the order of the church at Springfield, Minn., at the time of his death. Relatives claimed his property despite his vow to the order, and to turn over to the order all his worldly possessions.

In presentation of the case to the court it was stated that the decision of the court below, in overturning the title to the millions of dollars' worth of property now held by religious orders, particularly those of the Catholic Church, which had incorporated into their regulations vows to poverty.

**DECISION IS IMPORTANT**  
TO RATE INCREASE PETITION

The Interstate Commerce Commission's so-called intermountain rates were sustained as valid by the Supreme Court, which held at the same time that the long and short-haul clause of the interstate commerce law was constitutional. Both had been attacked by the transcontinental railroads.

## GRUESOME STORY CONFIRMED

Pieces of Flesh Found Cut From Exhumed Bodies.

[Special to The Times-Dispatch.]  
New York, June 22.—A reunion dinner, the first in thirty years, was held to-night by the survivors of the ill-fated Green expedition at the New York Club.

General Greely was detained in Conway, N. H., but three of the five survivors—Colonel David Brainard and Sergeants Henry Blodgett and Francis L. Long—were there. The fifth survivor, Morris Connell, was in San Jose, Cal. Fred T. Taylor, a survivor of the rescue expedition led by Admiral Schley, also attended.

The survivors drank to the memory of their dead comrades. The remainder of the evening was spent in relating reminiscences. They discussed among other things the menu of their last dinner on June 22, 1894, just before the rescue party arrived. On that sad occasion they dined upon boots, trousers and sleeping bags, all made of seal skin.

After the dinner, Colonel Brainard, with evident reluctance, confirmed the story that followed the rescue that Admiral Schley found portions of flesh had been cut from the bodies of members of the party he had exhumed. A reporter asked: "Was it possible that the flesh was cut away by the ice?"

"No, that couldn't have been," said Colonel Brainard. "The pieces of flesh had been sealed away with a knife. And he declined to add more words to the gruesome subject. He did recall the execution of Charles Buck Henry, a member of the party convicted of stealing. Henry was executed by firing squad in his companions after a court-martial. This followed his third offense after two warnings.

## TIME NOW TO FORGET IT

President Wants Mason and Dixon's Line Obliterated Forever.

Washington, June 22.—President Wilson expressed the wish to-day that the Mason and Dixon's line be forever forgotten. In a letter to President H. B. Joy, of the Lincoln Highway Association, asking that the road from Philadelphia to Gettysburg, through Washington, the President suggested that it would be a good means of further oblitterating sectional feeling between the North and South. The President's letter stated:

"I am sure that the entire country is interested to see to it that there should no longer exist a North or a South in this absolutely united country, which we all love, and that the imaginary Mason and Dixon's line should be made once and for all a thing of the past, and as a small contribution to that end I earnestly suggest that the Lincoln Highway Association should grant permission to place the official Lincoln highway markers on the macadam roadway from Philadelphia to Washington through the properly selected streets of the latter city to the Lincoln Monument, and from there through Frederick, Md., to Gettysburg."

"I am reliably informed that this route is now, or will be in the very near future, a modern macadam roadway from Philadelphia to Gettysburg, through Washington. The entire expanse of the road, I am informed, including officially marking the highway, will be the work of the Lincoln Highway Association."

"Cordially and respectfully yours," "WOODROW WILSON."

## HERE IS WHAT HE ATE

Remarkable Collection of Junk Taken From Negro's Stomach.

[Special to The Times-Dispatch.]  
Norman, Okla., June 22.—For three years a negro, Malachai Martin, an inmate of the State Insane Asylum here, had been in poor physical health. He died last night, and at a postmortem examination to-day Doctor Dan Stein took from his stomach the following articles:

Four twenty-penny nails, ten sixteen-penny nails, three ten-penny nails, fifteen eight-penny nails, six three-penny or shingle nails, one long screw, one six-penny nail, six tobacco tags, twelve one-inch washers, fifty assorted buttons, twenty small pieces of tin and iron, one bed spring about three inches long with a hook on each end, one small railroad spike, one two-inch screw, one part of a butcher's knife, two inches long, where the steel had been covered with the wooden handle, one half of a teaspoon, thirty-six pieces of glass, twelve brass toilet pieces, nine large safety pins, four tongues of safety pins, from which evidently the fasteners and backs had been taken, one button, one pair of trousers belt and hose buckles, one shoe string, one pegging awl wrench, eleven small washers, seven wire rings, two pennies, dated 1901 and 1902; one dime, one and two alarm-clock wheels. In all there were 236 pieces, weighing one pound and nine ounces.

## REGRETS SUICIDE DESIRE

When Flames Seared His Head, Pole Wants to Live.

[Special to The Times-Dispatch.]  
New York, June 22.—"It is too hard to live, it is too hard to die," said this brief sentence was the only explanation Anthony Schultz, a dull phlegmatic Pole, could assign for choosing to take his life by setting fire to the building in which he lived.

At 219-221 Cherry Street with the idea of making it a glorious funeral pyre. But when the fire which he had set to carry out the death sentence he had imposed upon himself commenced to sear his head, he repented. He jumped from the pile of burning hay and shouted: "I don't want to die; oh, God, please, please, don't let me die!" Screaming, he ran to the window and shouted madly for help. Six stories below in the street flames were already getting ready to fight the blaze. Through the flames and smoke which poured out of the window in which Schultz had taken refuge, they spied the would-be suicide. They saved Schultz and put out the fire with a hose. The man is held on a charge of incendiarism.

## MRS. WILSON HAS DOUBLE

Her Cousin Constantly Mistaken for President's Wife.

Washington, June 22.—Miss Mary Smith, of New Orleans looks so much like her cousin, Mrs. Woodrow Wilson, that only the family and intimate friends can tell them apart.

Miss Smith is now a guest at the White House, and in going about the streets and shops of Washington she has been frequently greeted by people who think they are clerks to the President's wife. The clerks in the stores always show Miss Smith marked attention in the belief that she is Mrs. Wilson.

## EDITORS GATHER IN ALEXANDRIA

Historic City Scene of Virginia Press Association's Annual Meeting.

## PROGRAM IS ELABORATE ONE

Makers of State's Newspapers Will Be Royally Entertained by Their Hosts.

BY J. C. LATIMER.

Alexandria, Va., June 22.—Members of the Virginia Press Association are gathering here to-night for the twenty-sixth annual session, which will convene to-morrow morning in the auditorium of the Alexandria Elks' Home. The association was organized at Bristol, on the State line of Virginia and Tennessee, twenty-five years ago, and it is but fitting that the twenty-sixth birthday should be celebrated at one of the oldest Eastern points, but in a city growing younger in its progressiveness, yet peopled with those ever mindful of the rich heritage of historic incidents and scenes intimately associated with the earlier history of the United States.

The history of this city dates back to 1693, when Captain John Smith ascended the Potomac River in search of adventure, and, passing Alexandria, the present location, was stopped by the falls of the Potomac. The site of this city was then a part of the Doag Indians' hunting grounds.

Governor Berkeley in 1669 granted a crown patent to Captain Robert Howson for 6,000 acres of land extending along the Potomac, lying between Washington and Rosslyn, for bringing 120 colonists to Virginia. Later Captain Howson sold to John Alexander a portion of this land for 6,000 pounds of tobacco and some money, and in 1677 it was first occupied by settlers. In 1739 the first public warehouse was established, and in 1739 came the first schoolhouse. This settlement was Belhaven up to 1745, in which year the Colonial Assembly authorized the formation of the town of Alexandria.

**PROGRESS IS WATCHWORD OF ITS CITIZENS**  
"Progress" is the watchword of the citizens of Alexandria, which now has a population of 20,000, exclusive of beautiful suburbs, the residents of which add much to the social and commercial life of this city and of Washington.

Situated on the south bank of the Potomac, the city of Alexandria is a natural gateway between the North and the South. Here six steamship lines connect with all coastwise, European and South American lines, and the city's half-mile of water front, with a harbor for the largest vessels, together with six trunk line railways, give the city excellent transportation and shipping facilities.

Old landmarks and historic buildings and sites have been preserved, and the traditions and customs of the enterprising citizenship of Alexandria have looked toward the future, and to that end a strong Chamber of Commerce has flourished for years, which, together with other civic bodies, has done a great work in letting the world know of the natural advantages and resources of this city, which has resulted in the building up of a great manufacturing and commercial city, and a city whose social life is ideal.

Improved streets, the replacing of cobblestones with smooth paving, extension of sewerage system, banks and banking systems, splendid public school facilities, an abundant water supply, churches of various denominations, constantly growing membership and increasing in spiritual influence, and fraternal organizations have all had their part in making Alexandria to-day a city of prosperous business, happy homes, and a society and surrounded by the most hallowed of historic memories.

## ENTERTAINMENT PROGRAM

FOR NEWSPAPER MAKERS

The makers of newspapers will be taken on sight-seeing tours and among the places to be visited are the following:

The golf club, which tops Suter's Hill, the first site selected for the national capital; the old and the new Marshall House; old Christ Church, which was attended by Generals Washington and Lee; the Carlyle House, built by John Carlyle in 1745, and the Braddock House; Lafayette's House; Lee's boyhood home; the "stranger's grave," the Federal Cemetery, Fairfax House, the Confederate Monument and Arlington Vernon.

Residential Alexandria will afford an attraction for the editors, while the industrial and commercial life of the city will be another feature of interest.

## BUSINESS OF INTEREST

TO PROGRESSIVE PUBLISHERS

The members of the Virginia Press Association during its session will hear reports of committees on matters of special interest to the profession. The most important paper will be on the subject of advertising rates for the country papers, and how best to maintain rates. The cost system for newspapers and job printing plants will also be discussed, and the progressive publisher will find much of interest.

(Continued on Third Page.)

## STUDENT IS KILLED

Struck by Lightning While at Work in Field.

Norfolk, Va., June 22.—Two deaths from lightning occurred during a severe electric storm which swept over this section this afternoon. W. B. Jeter, nineteen years old, a student of Clemson College, S. C., was struck and instantly killed on the Cumberland farm, in Norfolk County. A negro, whose name could not be learned, who was at work 400 feet from where Mr. Jeter stood, was killed.

## EDITOR IN CHIEF



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## STANDARD OIL LOSES ITS VIGOROUS FIGHT

Its Pipe Lines Which Cross State Boundaries Are Declared to Be Common Carriers.

**DECIDED BY SUPREME COURT**

Amendment to Hepburn Rate Law, Passed to Relieve Country of Standard Oil Company Monopoly, Is Declared Valid.

Washington, June 22.—Standard Oil lost its vigorously waged fight against government regulation of its pipe lines to-day, when the Supreme Court upheld the validity of the amendment to the Hepburn rate law, which declared oil pipe lines across State boundaries common carriers subject to the authority of the Interstate Commerce Commission.

Justice Holmes pointed out, in announcing the majority's conclusion, that the act was passed to relieve the country from the monopoly of the Standard Oil Company, and the mere fact that the Standard's pipe lines owned all the oil it transported, did not take it out of the class of common carriers. He explained that in effect the Standard was carrying the oil of other producers, even if it did force them, as a condition of the transportation, to sell the oil to it.

Congress, the court declared, had the power to make corporations that were common carriers, in fact, become so in form.

As to the Uncle Sam Company, an independent, which was exempted from the operation of the act, Justice Holmes said the company had a refinery in Kansas and oil well in Oklahoma, with a connecting pipe-line used solely to conduct oil from its own wells to its own refinery.

Justice McKenna insisted that the exemption of the Uncle Sam Company left the way open for the Standard to avoid the operation of the law. He asked if the Standard's lines would not be exempted, just as Uncle Sam's, if the Standard ceased to purchase oil. "What then," he inquired, "would become of the independent producer?"

## LANGUAGE OF TREATY

FOUND IN FORMER DRAFT

"Regret" Expressed Almost Identical With That Used by Dubois Under Taft Administration.

**BRYAN SHOWS SIMILARITY**

Senate Committee Decides to Investigate All Transactions Leading Up to Present Negotiations With Colombia—Minister Will Testify.

## OLD ISSUE OF BONDS

Charles Hall Davis, of Petersburg, Lays Claim to \$120,000 Mortgage.

**ECHO OF STREET CAR MERGER**

Present Company Declines to Recognize Old Passenger and Power Securities—Ex-Governor Mann Is Counsel for Bondholders.

An appeal to the United States Circuit Court of Appeals was granted yesterday in the debenture bond case on behalf of Charles Hall Davis, who owns \$120,000 worth of the bonds of the Richmond Passenger and Power Company, and Virginia Passenger and Power Company, involving the validity, as a lien, of a \$250,000 bond issue. Recognition of these bonds, following a merger of Virginia traction lines, was refused by the Gould interests, now in control of the system.

The fight at present is being waged on behalf of Charles Hall Davis, who owns \$120,000 worth of the bonds. With accrued interest since 1904, they now have a value of \$120,000. Other bondholders in the original action have dropped out of the case, but the granting of the appeal probably will cause their renewed interest.

## MUST VACATE HOME

Belva Lockwood Forced to Give Up Her Historic Property.

[Special to The Times-Dispatch.]  
Washington, June 22.—Mrs. Belva Lockwood was asked by the District Supreme Court to-day to show cause next Friday why she should not surrender the home and office on P Street which she has occupied for the last fifty years, and from which she directed her campaign as the only woman candidate in the United States for President.

The demand of the court was based on the petition of the New England Casualty Company, which purchased the property on April 15. The petition states that notice was served on Mrs. Lockwood to vacate the premises May 19.

Efforts on the part of friends and fellow-suffragists to raise enough money to preserve Mrs. Lockwood's home failed.

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Young Jeter came here eleven days ago from South Carolina with a number of other students to engage in experimental agricultural work on the Cumberland farm during the summer. Other students working in the same field with young Jeter were not injured. Lightning struck a was tank on the Seaboard bank and damaged considerably. Reports received here to-night say several houses at Whitakers, N. C., were demolished by the storm.

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## NEW PEACE PLANS GIVE FRESH HOPE FOR SETTLEMENT

Representatives of Warring Nations Will Be Brought Face to Face.

## DISTINCT FROM MEDIATION

Huerta Delegates Agree, and Rebels Are Prevailed Upon to Yield.

Niagara Falls, Ont., June 22.—Through the invitation of the United States government and the good offices of the three South American mediators, representatives of the two warring factions in Mexico soon will be brought face to face in an informal conference, distinct from the mediation proceedings. To save Mexico from further spoliation and the possibility of a foreign war, the Constitutionalists apparently have been prevailed upon to meet the Huerta delegates.

Belief is general that this plan stands an excellent chance of being carried to success. Arrangements for the meeting are as yet in a tentative state. Final word on details have not yet come from General Carranza.

## HOPES OF PRINCIPALS

The new plan has buoyed the hopes of the principals to mediation. The South American envoys discussed it with the American delegates to-day and stated that had a conference with the Huerta delegates, who were formally asked if they would meet Constitutionalists representatives. The Huerta delegates replied they were willing to enter any conference with the countrymen which has for its object the prevention of bloodshed, destruction of property, and sought to establish a national government on a firm basis. The conversation between the mediators and the Huerta delegates then turned to such internal questions as could be advanced in the absence of the Constitutionalists, particularly the conditions under which American forces will be withdrawn from Vera Cruz, which is expected to result from the satisfactory establishment of a new provisional government.

The plan which the mediators have worked out is to continue the formal mediation conferences to consideration of international questions, treating with the Huerta and American delegates on the internal questions of international questions. The Huerta and Constitutionalists delegates would be expected to confer alone. The mediators and the American delegates thus would not interfere with the settlement of problems confined to the country, but they would lend their counsel whenever it would be helpful, and point out what conditions recognition would be extended to.

## CARRANZA UNDERSTOOD

TO GIVE HIS APPROVAL

Although there was no official announcement here, it was understood that General Carranza, through Luis Cabrera, his representative at Washington, had given his assent to the plan of holding conferences separate from the mediation proceedings, and that the United States had invited representatives of the Constitutionalists to meet the American and Huerta delegates to the mediation conference for an informal discussion of peace proposals.

It is practically certain that no armistice will be reached by the Constitutionalists until an agreement of a definite character is reached in formal conference as to the establishment of the provisional government. On arriving at such an understanding, it would be expected that the suspension of hostilities would be proclaimed, and the Constitutionalists delegates might then be formally admitted to the mediation proceedings.

## WASHINGTON OFFICIALS

WEAR HOPEFUL SMILES

Washington, June 22.—Administration officials whose hopes for peace in Mexico had been somewhat dampened by events of the past week, were hopeful smiles again to-day, when the announcement came from Niagara Falls that the United States had invited representatives of the Constitutionalists to meet the American and Huerta delegates to the mediation conference for an informal discussion of peace proposals.

That the United States had for some time been exerting strong influence to bring the Constitutionalists into the conference upon such a basis—one that would not involve the armistice was not denied here. The intimation was given that this influence had met with success and that before many days representatives of the Constitutionalists would proceed to Niagara Falls. This development, it is declared, is an assurance that mediation will be prolonged with increased hope for an ultimate agreement upon a provisional government.

Administration officials to-day indicated that the plan of averting an abrupt end to mediation now presented would be prophetic of results. They looked for prompt response from the Constitutionalists, but did not anticipate any new developments in the actual provisional government plan to be devised until representatives of the United States and the warring Mexican factions had deliberated.

Villa's military campaign against Mexico City is expected to wage with increased vigor. It is suggested here that Huerta might resign and be out of the way before Villa's army could reach Mexico City, and that there would be no reason for further conquest pending the outcome of mediation.

Among the candidates for Provisional President now said to be seriously considered is Miguel Covarrubias, former Mexican minister of Russia. Covarrubias, it is reported here, while in sympathy with the Constitutionalists, is said to be less objectionable to the Huertistas and Huertistas than any other candidates yet suggested.

Reports from Admiral Howard to-day showed that small planes flying into the hands of the Constitutionalists.